

Hardeman	Reagan
Hazlewood	Richter
Kazen	Rogers
Krueger	Schwartz
Moore	Strong
Owen	Watson
Patman	Word
Ratliff	

Nays—5

Cole	Parkhouse
Harrington	Spears
Kennard	

Absent—Excused

Calhoun	Moffett
Herring	

Pending discussion of the resolution, Senator Reagan occupied the Chair.

(President in the Chair.)

Question—Shall S. C. R. No. 22 be adopted?

**Executive Session**

On motion of Senator Schwartz and by unanimous consent the Senate agreed to hold an Executive Session at 11:45 o'clock a.m. today.

Accordingly, the President directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session, the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be members of the Board of Directors of A & M College of Texas, for six-year terms to expire January 10, 1969: L. F. Peterson of Fort Worth, Tarrant County; Gardiner Symonds of Houston, Harris County; Dr. A. P. Beutel of Freeport, Brazoria County.

To be members of the Board of Regents of the University of Texas, for six-year terms to expire January 10, 1969: Mrs. Ruth Carter Johnson of Fort Worth, Tarrant County; Rabbi Levi Olan of Dallas, Dallas County.

The Secretary of the Senate also advised the Journal Clerk that the Senate had rejected the following nomination of the Governor:

To be a member of the Board of Regents of the University of Texas, for a six-year term to expire January 10, 1969: Judge W. St. John Garwood of Austin, Travis County.

**In Legislative Session**

The President called the Senate to order as In Legislative Session at 11:55 o'clock a.m.

**Welcome Resolutions**

S. R. No. 142—By Senator Creighton: Extending welcome to Mrs. Bob Hickey and son Jeff of Mineral Wells.

S. R. No. 143—By Senator Patman: Extending welcome to Robert K. Steer and son, James Kenneth, and naming James Kenneth Steer an Honorary Page for the day.

S. R. No. 144—By Senator Cole: Extending welcome to students and teachers of Alief Elementary School.

S. R. No. 145—By Senator Strong: Extending welcome to James Crook and Gerald McNeill of Henderson and Ed Pritchard of Fort Worth.

**Memorial Resolution**

S. R. No. 140—By Senator Watson: Memorial resolution for Mrs. Nancy O. Walker.

**Adjournment**

On motion of Senator Dies the Senate at 11:57 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

**TWENTY-SIXTH DAY**

(Wednesday, February 20, 1963)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Harrington
Bates	Hazlewood
Blanchard	Kazen
Calhoun	Kennard
Cole	Krueger
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Hall	Ratliff
Hardeman	Reagan

Richter	Strong
Rogers	Watson
Schwartz	Word
Spears	

Absent—Excused

Herring	Moffett
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A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Leave of Absence

Senator Moffett was granted leave of absence for today and tomorrow on account of important business on motion of Senator Aikin.

#### Message from the House

Hall of the House of Representatives  
Austin, Texas,  
February 20, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 10, A bill to be entitled "An Act amending Section 2 of Chapter 333, Acts of the 42nd Legislature, Regular Session, 1931, as amended by Section 1, Chapter 49, Acts of the 43rd Legislature, Regular Session, 1933 (compiled as Section 2, Article 1605a, Vernon's Texas Civil Statutes), so as to raise the maximum amount allowed to be spent by the county commissioners courts on office buildings or jails from One Hundred and Fifty Thousand Dollars (\$150,000) to Two Hundred Thousand Dollars (\$200,000) in cities other than the county seat; and declaring an emergency."

H. B. No. 55, A bill to be entitled "An Act amending Chapter 12, Acts of the 53rd Legislature, Regular Session, 1953, as amended (compiled as Article 3886h of Vernon's Texas Civil Statutes), so that in the Thirty-fourth Judicial District of Texas the maximum salary of the District Attorney shall be fixed at not to exceed Fourteen Thousand (\$14,000) Dollars, and the maximum salary of the Assistants and Investigators shall not exceed

Eleven Thousand (\$11,000) Dollars for the First Assistant District Attorney and Eighty-five Hundred (\$8,500) Dollars for other Assistant District Attorneys and Investigators in Said District; containing a severability clause; and declaring an emergency."

H. B. No. 58, A bill to be entitled "An Act amending Article 1429 of the Penal Code of Texas, 1925, relating to conversion by a bailee; and declaring an emergency."

H. B. No. 62, A bill to be entitled "An Act amending Paragraph (i) of Section 1 of Chapter 314, Acts of the 41st Legislature, Regular Session, 1941, as amended, compiled as Section 1 of Article 911b, Vernon's Texas Civil Statutes, so as to exclude certain wrecker vehicles from the term 'specialized carrier'; repealing all laws in conflict; providing for a severability; and declaring an emergency."

H. B. No. 75, A bill to be entitled "An Act authorizing the Board of Directors of the Texas College of Arts and Industries to acquire land in Hidalgo County; to pledge future revenue of land acquired and bookstore revenue to secure a lien on land acquired; containing a severability clause; and declaring an emergency."

H. B. No. 80, A bill to be entitled "An Act amending Article 5.01 of Chapter 5, Title 122A, Taxation-General, Revised Civil Statutes of Texas, being Article 5.01 of Chapter 5, of House Bill 11, 56th Legislature, Third Called Session, 1959, levying an occupation tax on sulphur producers; providing the tax imposed shall be in lieu of the tax imposed by Article 5.01; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 97, A bill to be entitled "An Act relating to the creating of Padre Island National Seashore, and declaring an emergency."

H. B. No. 115, A bill to be entitled "An Act repealing Section 3a of Senate Bill 148, Chapter 358, page 784, Acts of the 56th Legislature, 1959, Regular Session, the Uniform Act for Fiduciary transfers, and amending Section 3 thereof, by adding a new sub-section to be numbered Section 3 cd providing that signatures

on the transfer of securities coming within the terms of this Act shall be guaranteed by an officer of certain banks; and declaring an emergency."

H. B. No. 174, A bill to be entitled "An Act to provide that a tax collector may issue to certain people under certain circumstances a certificate showing that neither their land nor themselves are liable for delinquent taxes and that the liability for such taxes is thereafter a personal liability of the person under whom the taxes became delinquent and thereby making a court action to accomplish the same thing unnecessary; requiring the tax collector to issue an affidavit certifying that there has been no fraud or collusion; and declaring an emergency."

H. B. No. 233, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the official shorthand reporter for the 18th Judicial District of Texas; providing for severability; and declaring an emergency."

H. B. No. 235, A bill to be entitled "An Act authorizing the Commissioners Courts of counties within the 121st Judicial District to pay certain amounts to the district judge of such district to defray certain necessary expenses; providing for severability; and declaring an emergency."

H. B. No. 238, A bill to be entitled "An Act making it unlawful to hunt, take, or kill wild fox in Shelby County, with certain exceptions; repealing all laws in conflict; and declaring an emergency."

H. B. No. 239, A bill to be entitled "An Act providing that it shall be lawful to take or kill collared peccary or javelina in Brooks County at any time; making it unlawful to take or kill or have in possession any collared peccary or javelina for purposes of barter or sale, or to sell or offer for sale any collared peccary or javelina; providing penalties for violations; and declaring an emergency."

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Senate Resolution 147

Senator Dies offered the following resolution:

Whereas, The World-wide Air Force Minor Sports Tournament is now in progress at Lackland Air Force Base in San Antonio; and

Whereas, Through the cooperation of Ed Barlow, Director of the Department of Physical Training for Men at the University of Texas, the facilities of Gregory Gym in Austin were made available to the Tournament; and

Whereas, Fifteen squash players, including past national champion S/Sgt. Harry Conlon from Fort Myer, Virginia, and players from all over the world, are participating in the Squash Championship finals; and

Whereas, The competitive game of Squash Racquets is becoming increasingly popular and provides an interesting and enjoyable manner of becoming and remaining physically fit; now, therefore, be it

Resolved, That the Senate of the State of Texas does hereby congratulate Major R. E. Morgan of Jasper, Texas, for his work in coordinating the Squash Division of the World-Wide Air Force Minor Sports Tournament, Mr. Ed. Barlow and Mr. Sonny Rooker of the University of Texas for their cooperation and commend each player participating in this tournament.

The resolution was read and was adopted.

#### Reports of Standing Committees

Senator Krueger submitted the following report:

Austin, Texas,  
February 20, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock, to whom was referred S. B. No. 267, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Vice-Chairman.

Senator Patman submitted the following reports:

Austin, Texas,  
February 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which

was referred H. B. No. 156, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PATMAN, Chairman.

Austin, Texas,  
February 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 151, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PATMAN, Chairman.

Austin, Texas,  
February 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 269, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PATMAN, Chairman.

Austin, Texas,  
February 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 287, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PATMAN, Chairman.

Austin, Texas,  
February 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 23, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PATMAN, Chairman.

Senator Ratliff submitted the following reports:

Austin, Texas,  
February 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 27, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,  
February 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 233, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Rogers submitted the following report:

Austin, Texas,  
February 20, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 17, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS, Chairman.

Senator Dies submitted the following report:

Austin, Texas,  
February 20, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 243, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

(President Pro Tempore in the Chair.)

Senate Resolution 148

Senator Harrington offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate George Jones top Western recording star from Vidor, Texas; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

The President Pro Tempore appointed Senators Harrington, Spears, Owen and Rogers to escort the distinguished guest to the President's Rostrum.

The President Pro Tempore presented Senator Harrington and he presented Mr. Jones to the Members of the Senate, listing many of the famous records of this famous recording star.

Mr. Jones addressed the Senate expressing appreciation for the honor bestowed upon him.

(President in the Chair.)

#### Senate Bills on First Reading

The following bills were introduced, read first time and referred to the committees indicated:

By Senators Hardeman and Crump:

S. B. No. 294, A bill to be entitled "An Act relating to and fixing minimum and maximum salaries of the Official Shorthand Reporter for the 51st Judicial District of Texas; and the Official Shorthand Reporter for the 119th Judicial District of Texas; and the Official Shorthand Reporter for the 33rd Judicial District of Texas; and the Official Shorthand Reporter for the 35th Judicial District of Texas; and the Official Shorthand Reporter of the 63rd Judicial District of Texas; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Strong:

S. B. No. 295, A bill to be entitled "An Act declaring noxious certain aquatic plants in that portion of Caddo Lake situated in Harrison and Marion Counties; authorizing the Commissioner of the General Land Of-

fice to execute exclusive contracts for removal of noxious aquatic plants; prescribing contract requirements; passing title to noxious aquatic plants to contractor when removed pursuant to contract; establishing venue; containing a severability; and declaring an emergency."

To the Committee on State Departments and Institutions.

By Senator Bates:

S. B. No. 296, A bill to be entitled "An Act amending Sections 1, 3, 4, 6 and 21 of Chapter 236, House Bill No. 99, Acts of the Regular Session of the Forty-Fifth Legislature as amended by Chapter 5, House Bill No. 943, Acts of the Regular Session of the Forty-Sixth Legislature (codified as Article 118b, Sections 1, 3, 4, 6 and 21, Vernon's Annotated Civil Statutes of Texas and Article 1700a-3, Vernon's Annotated Penal Code of Texas); amending Section 11 and repealing Section 27 of Chapter 236, House Bill No. 99, Acts of the Regular Session of the Forty-Fifth Legislature (codified as Article 118b, Sections 11 and 27, Vernon's Annotated Civil Statutes of Texas); amending Section 25 of Chapter 236, House Bill No. 99, Acts of the Regular Session of the Forty-Fifth Legislature as amended by Chapter 32, House Bill No. 78, Acts of the Second Called Session of the Forty-Fifth Legislature (codified as Article 118b, Section 25, Vernon's Annotated Civil Statutes of Texas); amending Section 3 of Chapter 16, Senate Bill No. 24, Acts of the First Called Session of the Forty-Fifth Legislature (codified as Article 1287-2 of Vernon's Annotated Civil Statutes of Texas); relating to the bonding and licensing of dealers in citrus fruit in the State of Texas; providing for a bond based on the number of standard packed boxes of citrus handled; prescribing penalties for the violation of this Act; providing for the giving of a single surety bond of twenty-five thousand (\$25,000) dollars contingent upon faithful performance of all provisions of House Bill No. 99 and House Bill No. 557, Acts of the Regular Session of the Forty-Fifth Legislature, and the licensing of any person under both Acts on the payment of a single license fee; repealing the provisions requiring license fee only for those entering or doing business in the Texas Citrus Zone as defined in Section 1 of House Bill No. 553, Chapter 350,

42nd Legislature, Regular Session; providing a saving clause; and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senator Cole:

S. B. No. 297, A bill to be entitled "An Act amending Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended (compiled as Article 6243e, Vernon's Texas Civil Statutes), by adding thereto a new section requiring cities having a population of more than eight hundred thousand (800,000), according to the last preceding federal census to make deductions from the monthly salaries of firemen and monthly contributions of specified amounts into the Firemen's Relief and Retirement Fund; providing for membership in such fund by persons becoming firemen and the allowance of service credits; also amending Section 23A of that Act to allow cities having a population of eight hundred thousand (800,000) or more according to the last preceding federal census, to invest surplus funds from the Firemen's Relief and Retirement Fund in federally secured F.H.A. home mortgages; also adding a new section numbered 23C, authorizing the Board of Trustees of the Firemen's Relief and Retirement Fund in cities having a population of eight hundred thousand (800,000) or more according to the last preceding federal census, to hire an actuary periodically, providing for severability; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Reagan:

S. B. No. 298, A bill to be entitled "An Act amending Section 4a, Chapter VII, Article 9, of the Texas Banking Code of 1943, codified as Article 342-709, Revised Civil Statutes of Texas, 1925, by adding a provision prohibiting banks from disclosing the amount deposited by any depositor to third parties except where the depositor or the bank is made a proper or necessary party in a court of competent jurisdiction; and declaring an emergency."

To the Committee on Banking.

#### Senate Resolution 152

Senator Kazen offered the following resolution:

Whereas, We are honored to have

in the Senate today fifteen Chilean students from the University of Chile in Santiago and Valparaiso who are participating in an educational exchange program at the University of Texas; and

Whereas, This exchange program, which is carried on through a grant-in-aid from the United States Department of State, provides an excellent opportunity for these students to exchange experiences, ideas and points of view with American students; and

Whereas, It is the hope of this program that such exchanges will create better understanding and good will, thereby fostering better relations and communications between the people of the United States and our good friends from Chile; and

Whereas, These students have been honored to participate in this exchange program on the basis of their high qualities of scholarship and leadership; and

Whereas, The members of this distinguished group of young students visiting the Capitol today are as follows: Vladimir Aguilera, Antonio Arbea, Miguel Canales, Augusto Carmona, Renato Espinosa, Soledad Ferreiro, Hernan Gonzales, Roberto Hernandez, Willy Herrera, Patricio Lynch, Eliana Maraboli, Alberto Mendez, Monica Osorio, Raul Sanchez, and Hiram Vivanco; and

Whereas, They are accompanied by Dr. Cedomil Goic, Chairman of the Department of Spanish, University of Chile, Santiago; and Dr. Joe W. Neal, Director, International Office, University of Texas; and

Whereas, It is the desire of the Senate of the 58th Legislature to welcome this fine group of young men and women and to signify our sincere interest in strengthening the bonds of friendship between the United States and the great country they represent; now, therefore, be it

Resolved, That the members of the Chilean Student Leader Seminar be officially recognized and commended for their participation in this program; and be it further

Resolved, That a copy of this Resolution be presented to each member of this student group with our congratulations and good wishes.

KAZEN  
HERRING

The resolution was read and was adopted.

Senator Kazen by unanimous consent presented the students to the Members of the Senate.

#### Notice of Executive Session

Senator Schwartz gave notice that he would on tomorrow (February 21, 1963), move for an Executive Session for 12:15 o'clock p.m.

#### Senate Concurrent Resolution 22

The President laid before the Senate as pending business S. C. R. No. 22 (the resolution having been read on yesterday and the regular order of business suspended to permit immediate consideration thereof).

Question—Shall S. C. R. No. 22 be adopted?

(Pending discussion of the resolution, the President Pro Tempore occupied the Chair.)

(President in the Chair.)

Question—Shall S. C. R. No. 22 be adopted?

#### Welcome Resolutions

S. R. No. 146—By Senator Cole: Extending welcome to students and teachers of the Government Class of Bellaire High School of Bellaire.

S. R. No. 149—By Senator Harrington: Extending welcome to the Mayor, Councilmen and other officers of the City of Grove.

S. R. No. 150—By Senator Bates: Extending welcome to Constable Renato Cuellar of Weslaco, Hidalgo County.

S. R. No. 151—By Senator Spears: Extending welcome to Ladies of the Edgewood Council of P.T.A.'s in San Antonio.

S. R. No. 153—By Senator Harrington: Extending welcome to members of the governing body of the City of Port Neches.

#### Adjournment

On motion of Senator Reagan the Senate at 11:47 o'clock a.m. adjourned until 12:00 o'clock M. tomorrow.

#### TWENTY-SEVENTH DAY

(Thursday, February 21, 1963)

The Senate met at 12:00 o'clock noon, pursuant to adjournment, and

was called to order by he President Pro Tempore.

The roll was called, and the following Senators were present:

Aikin	Krueger
Bates	Moore
Blanchard	Owen
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Spears
Harrington	Strong
Hazlewood	Watson
Kazen	Word
Kennard	

#### Absent—Excused

Herring                      Moffett

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Message from the House

Hall of the House of Representatives  
Austin, Texas,  
February 21, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 17, Requesting the Postmaster General of the United States to issue a suitable commemorative stamp honoring Big Bend National Park.

S. B. No. 106, A bill to be entitled "An Act relating to the division of certain rural high school districts and consolidated independent school districts into election precincts by the Board of County School Trustees in certain counties; providing for the mode of election and terms of office of school trustees in said rural high school districts and consolidated independent school districts; and declaring an emergency."

(With amendments.)